

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Santiago offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Paragraph (t) of subsection (16) of section 320.02, Florida Statutes, is amended, present paragraph (u) of that subsection is redesignated as paragraph (t), and a new paragraph (u) is added to that subsection, to read:

320.02 Registration required; application for registration; forms.—

(16)

~~(t) The application form for motor vehicle registration and renewal registration must include language permitting a~~

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14 ~~voluntary contribution of \$1 or more per applicant, which shall~~  
15 ~~be distributed to the Auto Club Group Traffic Safety Foundation,~~  
16 ~~Inc., a nonprofit organization. Funds received by the foundation~~  
17 ~~must be used to improve traffic safety culture in communities~~  
18 ~~through effective outreach, education, and activities in the~~  
19 ~~state which will save lives, reduce injuries, and prevent~~  
20 ~~crashes. The foundation must comply with s. 320.023.~~

21 (u) Notwithstanding s. 320.023(1) and (2), the application  
22 form for motor vehicle registration and renewal of registration  
23 must include language permitting a voluntary contribution of \$1  
24 or more per applicant to the Live Like Bella Childhood Cancer  
25 Foundation. Such contributions must be distributed by the  
26 department to the Live Like Bella Childhood Cancer Foundation.

27  
28 For the purpose of applying the service charge provided in s.  
29 215.20, contributions received under this subsection are not  
30 income of a revenue nature.

31 Section 2. Section 320.0605, Florida Statutes, is amended  
32 to read:

33 320.0605 Certificate of registration; possession required;  
34 exception.—

35 (1) (a) The registration certificate or an official copy  
36 thereof, a true copy or electronic copy of rental or lease  
37 documentation issued for a motor vehicle or issued for a  
38 replacement vehicle in the same registration period, a temporary

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39 receipt printed upon self-initiated electronic renewal of a  
40 registration via the Internet, or a cab card issued for a  
41 vehicle registered under the International Registration Plan  
42 shall, at all times while the vehicle is being used or operated  
43 on the roads of this state, be in the possession of the operator  
44 thereof or be carried in the vehicle for which issued and shall  
45 be exhibited upon demand of any authorized law enforcement  
46 officer or any agent of the department, except for a vehicle  
47 registered under s. 320.0657. ~~The provisions of~~ This section  
48 does ~~de~~ not apply during the first 30 days after purchase of a  
49 replacement vehicle. A violation of this section is a  
50 noncriminal traffic infraction, punishable as a nonmoving  
51 violation as provided in chapter 318.

52 (b)1. The act of presenting to a law enforcement officer  
53 or agent of the department an electronic device displaying an  
54 electronic copy of rental or lease documentation does not  
55 constitute consent for the officer or agent to access any  
56 information on the device other than the displayed rental or  
57 lease documentation.

58 2. The person who presents the device to the officer or  
59 agent assumes liability for any resulting damage to the device.

60 (2) Rental or lease documentation that is sufficient to  
61 satisfy the requirement in subsection (1) includes the  
62 following:

63 (a) ~~Date of rental and time of exit from rental facility;~~

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- 64 (b) Rental station identification;  
65 (c) Rental agreement number;  
66 (d) Rental vehicle identification number;  
67 (e) Rental vehicle license plate number and state of  
68 registration;  
69 (f) Vehicle's make, model, and color;  
70 (g) Vehicle's mileage; and  
71 (h) Authorized renter's name.

72 Section 3. Paragraph (r) of subsection (8) of section  
73 322.08, Florida Statutes, is amended, and present paragraphs (s)  
74 and (t) of that subsection are redesignated as paragraphs (r)  
75 and (s), respectively, to read:

76 322.08 Application for license; requirements for license  
77 and identification card forms.—

78 (8) The application form for an original, renewal, or  
79 replacement driver license or identification card must include  
80 language permitting the following:

81 ~~(r) A voluntary contribution of \$1 or more per applicant,~~  
82 ~~which shall be distributed to the Auto Club Group Traffic Safety~~  
83 ~~Foundation, Inc., a not-for-profit organization.~~

84  
85 A statement providing an explanation of the purpose of the trust  
86 funds shall also be included. For the purpose of applying the  
87 service charge provided under s. 215.20, contributions received  
88 under paragraphs (b)-(s) ~~(b)-(t)~~ are not income of a revenue

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89 nature.

90 Section 4. Section 322.38, Florida Statutes, is amended to  
91 read:

92 322.38 Renting motor vehicle to another.—

93 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any  
94 other person unless the other ~~latter~~ person is ~~then~~ duly  
95 licensed, ~~or, if a nonresident, he or she shall be licensed~~  
96 under the laws of the state or country of his or her residence,  
97 except a nonresident whose home state or country does not  
98 require that an operator be licensed.99 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to  
100 another until he or she has inspected the driver license of the  
101 person to whom the vehicle is to be rented, ~~and has compared and~~  
102 verified that the driver license is unexpired ~~signature thereon~~  
103 ~~with the signature of such person written in his or her~~  
104 presence.105 (3) Every person renting a motor vehicle to another shall  
106 keep a record of the registration number of the motor vehicle so  
107 rented, the name and address of the person to whom the vehicle  
108 is rented, the number of the license of said latter person, and  
109 the ~~date and place when and where the said~~ license was issued.  
110 Such record shall be open to inspection by any police officer,  
111 or officer or employee of the department.112 (4) If a rental car company rents a motor vehicle to a  
113 person through digital, electronic, or other means that allows

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114 the renter to obtain possession of the motor vehicle without  
 115 direct contact with an agent or employee of the rental car  
 116 company, or if the renter does not execute a rental contract at  
 117 the time he or she takes possession of the motor vehicle, the  
 118 rental car company shall be deemed to have met all obligations  
 119 of subsections (1) and (2) when the rental car company, at the  
 120 time the renter enrolls in a membership program, master  
 121 agreement, or other means of establishing use of the rental car  
 122 company's services, or any time thereafter, requires the renter  
 123 to verify that he or she is duly licensed and that the license  
 124 is unexpired.

125 Section 5. This act shall take effect July 1, 2019.

126 -----  
127

128 **T I T L E A M E N D M E N T**

129 Remove everything before the enacting clause and insert:

130 A bill to be entitled

131 An act relating to driver license, identification  
 132 card, and motor vehicle documentation; amending s.  
 133 320.02, F.S.; deleting a requirement that the  
 134 application form for motor vehicle registration and  
 135 renewal of registration include language permitting a  
 136 voluntary contribution to the Auto Club Group Traffic  
 137 Safety Foundation; requiring that such application  
 138 form include language permitting a voluntary

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139 contribution to the Live Like Bella Childhood Cancer  
140 Foundation; requiring that the Department of Highway  
141 Safety and Motor Vehicles distribute such  
142 contributions to the Live Like Bella Childhood Cancer  
143 Foundation; amending s. 320.0605, F.S.; authorizing an  
144 electronic copy of certain rental or lease  
145 documentation to be in the possession of the vehicle  
146 operator or carried in the vehicle and to be exhibited  
147 upon demand of any authorized law enforcement officer  
148 or any agent of the department; providing that the act  
149 of presenting a certain electronic device to the  
150 officer or agent does not constitute consent for the  
151 officer or agent to access any information on the  
152 device other than the displayed rental or lease  
153 documentation; providing for assumption of liability  
154 for any resulting damage to the device; revising  
155 requirements for rental or lease documentation;  
156 amending s. 322.08, F.S., deleting a requirement that  
157 the application form for a driver license or  
158 identification card include language permitting a  
159 voluntary contribution to the Auto Club Group Traffic  
160 Safety Foundation; amending s. 322.38, F.S.;  
161 prohibiting a person from renting a motor vehicle to  
162 another person unless he or she has verified that the  
163 renter's driver license is unexpired; requiring that a

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164 person renting a motor vehicle to another person keep  
165 a record of the place where the renter's license was  
166 issued; providing that, under certain circumstances,  
167 specified requirements are deemed met when a renter is  
168 required at certain times to verify that he or she is  
169 duly licensed and that the license is unexpired;  
170 providing an effective date.

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